\* Case No. 93-246-A

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Frederic M. and Margaret P. Bryant. The Petitioners request relief from Sections 1802.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear dwelling addition with a side yard setback of 12 feet in lieu of the required 15 feet and to permit an existing accessory structure (garage) to be located in the side yard as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of March, 1993 that the Petition for Administrative Variance requesting relief from Sections 1802.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear dwelling addition with a side yard setback of 12 feet in lieu of the required 15 feet and to permit an existing accessory structure (garage) to be located in the side yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated February 12, 1993.

LES:bjs

Zoning Commissioner for Baltimore County

- 2-

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

> Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

March 4, 1993

(410) 887-4386

Mr. & Mrs. Frederick M. Bryant, IV 620 Sherwood Road Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE NE/S Sherwood Road, 400' N of Warren Road (620 Sherwood Road) 8th Election District - 4th Councilmanic District Frederic M. Bryant, IV, et ux - Petitioners Case No. 92-246-A

Dear Mr. & Mrs. Bryant:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

LES:bjs

cc: DEPRM

People's Counsel

to the Zoning Commissioner of Baltimore County for the property located at GEO SHEELOOD BY COLERANCE, MY 21030 which is presently zoned DR Z This Petition shall be filed with the Office of Zoning Administration & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEE ATTACHED of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or (SEE AFFADAUT) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the FREDERIC M. BRYANT IV (Type or Print Name) HARGARET P BRYALT CO SHERWIND RD (Type or Print Name) Gity State Zipcode
Name Address and phone number of legal owner-contract purchaser or representative FREDERIC M. BRYALT IV CEC SHERLIGED RIS 325 BCCC CHE KATTSCIELE AD ZICSC that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Battimore County, in two newspapers of general circulation, throughout Battimore County, and that the property be reposted **Loning Commissioner of Baltimore County** ITEM #: \_\_\_\_\_

Petition for Administrative Variance

1B02.3.C.1 and 400.1 BCZR, To permit a proposed rear dwelling addition with a side yard setback of 12 ft. in lieu of the required 15 ft. and to permit the existing accessory structure (Garage) to be located in the (newly created) side yard in lieu of the rear yard.

93-246-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 620 SHERWEDD RD

COCKERCILLE HD

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) WE REQUEST A VARIANCE TO PUT AN ADDITION ON THE EXISTING HOUSE WHICH and WOLD BE IN THOU THE ADJACENT PROPERTY CINE, THE LAYOUT OF THE BRISTING HOUSE REQUIRES THAT THE ADDITION ACCOUNTS

GARATE WITHIN 12' OF THE PROPERTY LINE. THE ADDITION ALSO CLEATES A SIDE HARD WITH AN EXISTING BUILDING

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. HARLAPST P. BRYAS

I HEREBY CERTIFY, this 28th day of January, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Margaret P. Bryant and Frederic in Bryant IV

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal. Jan 28,1993

My Commission Expires: Jaz. 1, 1996

93-246-A ZONING DESCRIPTION ZONING DESCRIPTION FOR \$20 SHERWOOD RD COCKEYSUILLE MD 21030 Election District 8 (address)
Councilmanic District Beginning at a point on the North EAST si (north, south, east or west) NORTHEAST side of Late 5 29 22 296 FT 566 10'S 123.50 Which is TO THE PLACE OF BEGINDING (street on which property fronts) (number of feet of right-of way width) wide at a distance of 400 FEET NORTH of the (number of feet) (north, south, east or west) centerline of the nearest improved intersecting street WARREN ROAD which is 30 FEET (number of feet of right-of-way width) (name of subdivision) Book # 7061 , Folio # 544 37,026 SQ FEET 4 , 85 ACRES . (square feet and acres)

THENCE THE FOLLOWING COURSES AND DISTANCES,

N. 29° E. 320 FT. / N.75° 01"W 61.08 FT. / N.59° 53"W.61 FT S. 29°22" W. 296 FT. THENCE BINDING ON THE N.E. RIGHTOF WAY OF SHERWAD RD S. 56 10 E 122.5 FT TO THE PLACE OF BEGINNING.

Zoning Administration &

Development Management

111 West Chesepeake Avenue ouson, Maryland 21204

Rollimore Gennie
Zoning Administra
Development Mand
111 West Chesapeake Ave

1 (38)

Actor Variones

Petitioner Fridanck + Margon/ 137457

Location of property: NE(620) Shanwood Kd., Hoo N/ Horror Rt

Location of Signer Facing York Woylon property of fittionis

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Account: R-001-6150

IS DEPARTMENT OF BALTIMORE COUNTY 93- 7146-14

Date of Posting 7/5/9

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Please Make Checks Payable To: Bultimore County

111 West Chesapeake Avenue Towson, MD 21204

February 16, 1993

(410) 887-3353

Mr. and Mrs. Frederic M. Bryant, IV 620 Sherwood Road Cockeysville, MD 21030

> RE: Case No. 93-246-A, Item No. 259 Petitioner: Frederic M. Bryant, IV, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Bryant:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 28, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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Baltimore County Government Fire Department

700 East Joppa Road, Suite 901. Towson, MD 21286-5500

FEBRUARY 18, 1993

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Froperty Owner: FREDERICK M. BRYANT, IV & MARGARET P. BRYANT

#620 SHERWOOD ROAD

Item No.: \*259 (JLL) Zoning Agenda: FEBRUARY 8, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Fureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Fire Prevention Bureau Special Inspection Division

JP/KEK

Maryland Department of Transportation

O. James Lighthizer Hal Kassoff

2-12-93

Re: Baltimore County
Item No.: \* 259 (TLL)

Ms. Julie Winiarski Zoning Administration and **Development Management** County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALT ORE COUNTY, MARY AND

Mr. Arnold Jablon, Director

Zoning Administration and

Development Coordinator, DEPRM

Bryant Property, 620 Sherwood Road

Zoning Item #259

Development Management

FROM: J. Lawrence Pilson JUP May

LP:sp

BRYANT/TXTSBP

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee Meeting of February 8, 1993

Prior to approval of a building permit for the addition, a field inspection must be made by the Division of Groundwater Management to determine if the

existing septic system can accommodate the increased use of the property.

DATE: February 12, 1993

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: February 12, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 254, 256, 259 263, 262, 267, 268, 261.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL/lw

254.ZAC/ZAC1

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

Frederic and Margaret Bryant 620 Sherwood Road Cockeysville, Maryland 21030

Re: CASE NUMBER: 93-246-A (Item 259) ME/S Sherwood Road, 400' H of Warren Road 620 Sherwood Road 8th Election District - 4th Councilmonic Legal Owner(s): Frederic H. Bryant, IV and Harquret P. Bryant

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 14, 1993. The closing date (Harch 1, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are psychie by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

FRONT



The Mark State Committee of the

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(410) 887-3353

93.886

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS

BALTIMORE COUNTY, MARYLAND

There are no Comments on tem number, 239, 240, 241, 254,

Ranee J. Famili
Traffic Engineer II

256, 257, 259, 260, 261, 262, 263, 264, 267 and 268

Mr. Arnold Jablon, Director

and Development Management

Rahee J. Famili

Z.A.C. MEETING DATE: Feb. 8, 1993

SUBJECT: Z.A.C. Comments

RJF/lvd

Office of Zoning Administration

DATE: Feb 18, 1993

ZONING OFFICE





